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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,280	05/02/2001	Bahadir Erimli	F0683	3825
45114	7590	09/09/2005	EXAMINER	
HARRITY & SNYDER, LLP 11240 WAPLES MILL ROAD SUITE 300 FAIRFAX, VA 22030			HSU, ALPUS	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,280

Applicant(s)

ERIMLI ET AL.

Examiner

Alpus H. Hsu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-17, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5, 7-9, 16, 17 and 19 is/are allowed.
- 6) ☒ Claim(s) 10-15 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Prosecution on the merits of this application is reopened on claims 10-15 and 20 considered unpatentable for the reasons indicated below:

The indicated allowability of claims 10-15 and 20 is withdrawn in view of the newly discovered reference(s) to HEDGE and LARSON et al.. Rejections based on the newly cited reference(s) follow.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 10-14 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by HEDGE in U.S. Patent No. 6,570,875 B1.

Regarding claim 10, HEDGE discloses a method for determining forwarding information for a data frame received by a network device (40), comprising: receiving prior to receipt of one or more identified data frames at the network device, forwarding information for the one or more identified data frames from a source external to the network device; programming a memory to store the forwarding information for the one or more identified data frames (see col. 5, lines 9-19, 52-54, col. 7, lines 58-63); receiving a plurality of data frames (see col. 8, lines 18-23); analyzing each of the received data frames to determine whether the received data frame corresponds to one of the one or more identified data frames (see steps 40, 42 and 44 in Figure 8); and using the stored forwarding information to forward the received data frame when the

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received data frame corresponds to one of the one or more identified data frames (see step 46 in Figure 8).

Regarding claim 11, HEDGE discloses the method further comprising: generating forwarding information for the received data frame when the received data frame does not correspond to one of the one or more identified data frames (see steps 56 and 58 in Figure 8 and Figure 9).

Regarding claim 12, HEDGE discloses the step of receiving the forwarding information includes: receiving the forwarding information from an external host device (45) (see col. 5, lines 52-54, col. 7, lines 58-63).

Regarding claim 13, HEDGE discloses that the network device includes a lookup table (70) configured to store identifying information for the one or more identified data frames; and wherein the analyzing each of the received data frames includes: comparing a portion of each of the received data frames to the identifying information in the lookup table to determine whether the received data frame corresponds to one of the one or more identified data frames (see col. 9, lines 44-55).

Regarding claim 14, HEDGE discloses the method further comprising: storing at least some of the received data frames in an external memory (see col. 5, lines 50-51).

Regarding claim 20, HEDGE discloses a switch (40), comprising: an interface (110) configured to receive first frame forwarding information associated with certain data frames from a source (45) external to the switch prior to receipt of the certain data frames at the switch; a port filter (100) configured to store the received first frame forwarding information; a plurality of input ports (50s) configured to receive a plurality of data frames; wherein the port filter is

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further configured to: identify the data frames of the received plurality of data frames that are the certain data frames, retrieve the stored first frame forwarding information associated with the certain data frames, and use the stored first frame forwarding information to forward the certain data frames (see col. 9, lines 44-55); and a forwarding unit (80) configured to: perform a forwarding lookup for data frames of the plurality of data frames not identified as the certain data frames to generate second frame forwarding information, and use the second frame forwarding information to forward the data frames not identified as the certain data frames (see col. 9, line 56 to col. 10, line 11).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over HEDGE in U.S. Patent No. 6,570,875 B1 in view of LARSON et al. in U.S. Patent No. 6,430,661 B1.

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Regarding claim 15, HEDGE differs from the claim, in that, it does not disclose the feature of masking the storing of the received data frame in the external memory when the received data frame corresponds to one of the one or more identified data frames, which is well known in the art and commonly used in data communications field for memory access and control purpose.

LARSON et al., for example, from the similar field of endeavor, teaches the masking of the storing of the received data frame in the external memory when the received data frame corresponds to one of the one or more identified data frames (see col. 15, lines 32-51), which can be easily adopted by one of ordinary skill in the art into the system of HEDGE to provide the memory access and control for data transfer from data memory to the requesting device to further improve the system efficiency.

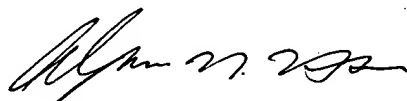
7. Claims 1-5, 7-9, 16, 17 and 19 are allowed.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alpus H. Hsu whose telephone number is (571)272-3146. The examiner can normally be reached on M-F (5:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AHH



Alpus H. Hsu
Primary Examiner
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